

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

450 WEST 31ST STREET OWNERS CORP.,
ET AL.,

25-cv-705 (JGK)

Plaintiffs,

ORDER

- against -

CHUBB AND SON, INC., ET AL.,

Defendants.

JOHN G. KOELTL, District Judge:

The Court's Order dated February 25, 2025, ECF No. 5, is **vacated**.

On January 23, 2025, the defendants removed this case to this Court from New York State Supreme Court, New York County. ECF No. 1. Rule 4(m) of the Federal Rules of Civil Procedure applies to removed cases after the date of removal. Eccles v. Nat'l Semiconductor Corp., 10 F. Supp. 2d 514, 519 (D. Md. 1998). Thus, after removal, the plaintiffs must serve on the defendants a summons and a copy of the complaint pursuant to Rule 4(c), which requires service "within the time allowed by Rule 4(m)." Fed. R. Civ. P. 4(c)(1); G.G.G. Pizza, Inc. v. Domino's Pizza, Inc., 67 F. Supp. 2d 99, 103 (E.D.N.Y. 1999). Rule 4(m) now requires such service "within 90 days." Fed. R. Civ. P. 4(m).

Accordingly, the plaintiffs have 90 days from January 23, 2025, the date on which the defendants filed their notice of

removal, to serve on the defendants a summons and a copy of the complaint. See G.G.G. Pizza, 67 F. Supp. 2d at 103. Therefore, the plaintiffs must effect such service by **April 23, 2025**. If the plaintiffs effect timely such service, the defendants will have 21 days to file their answer or otherwise respond to the complaint. Fed. R. Civ. P. 81(c)(2)(A).

SO ORDERED.

**Dated: New York, New York
February 28, 2025**

/s/ John G. Koeltl
John G. Koeltl
United States District Judge